

Notice of Allowability

Application No.

09/926,454

Examiner

Johannes P. Mondt

Applicant(s)

HIGASHIDA ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/1/05 (RCE) and Amndt filed 5/26/05.
2. ☒ The allowed claim(s) is/are 4-6,8 and 10.
3. ☒ The drawings filed on 11/6/1+ Replacement Sheets filed 3/26/5 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



Minhloan Tran
Primary Examiner
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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/1/05 has been entered.

Response to Amendment

After-Final Amendment filed 3/1/05 has been entered following and in view of said Request for Continued Examination and forms the basis of this office action. Subsequent Amendment filed 5/26/05 has also been entered and forms the basis for this office action.

Furthermore, an additional amendment to the claims filed 5/26/05 as preliminary amendment has been entered and forms the ultimate basis of this office action. In said additional or preliminary amendment amended claims 8 (independent claim) and 6 and added new claim 10. Because claims 1-3, 7 and 9 have been cancelled claims 4-6, 8 and 10 are in the application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney J. Haydoutova (Reg. No.: 43,313) on June 6, 2005.

START OF EXAMINER'S AMENDMENT

In Claim 10, the wording "wherein said closed ring-shaped metal film is connected to a gate electrode pad comprising a metal film provided within said protective diode formed by said closed ring-shaped p-type and n-type layers, with partial striding over said protective diode" has been replaced by: "wherein said closed ring-shaped metal film comprises a connection to a gate electrode pad, said connection partially striding over said protective diode".

END OF EXAMINER'S AMENDMENT.

REASONS FOR ALLOWANCE

Claims 4-6, 8 and 10 are allowed.

3. The following is an examiner's statement of reasons for allowance: Claims 8, 4, 5 and 6 are allowed because, strictly within the context of claim 8 as newly presented, although Williams et al (6,268,242) as cited is closely related art, Williams et al do not teach the limitation in independent claim 8 that said ring-shaped metal film is a gate wiring which has gate connecting portions so as to connect to gate electrodes of said transistor cells with partial striding over said protective diode with said gate connecting and source connecting portions "are contacted with said innermost layer are alternately formed in plan view" as shown as gate connecting and source connecting portions 2a

and 3a (Figure 4 and par. [0051] of the specification). Neither do Yamamoto et al (JP410144938A) (previously cited) nor Frisina (5,886,381). Furthermore, within the context of independent claim 10 neither Williams et al, nor Yamamoto et al nor Frisina as cited disclose the limitation "wherein said closed ring-shaped metal film comprises a connection to a gate electrode pad, said connection partially striding over said protective diode" as recited in lines 13-15 (final three lines) of claim 10 (cf. Figure 1(b) and par [0039] of the specification).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johannes P. Mondt whose telephone number is 571-272-1919. The examiner can normally be reached on 8:00 - 18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
June 6, 2005